UNITED STATES PATENT AND TRADEMARK OFFICE

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10/620,130	07/15/2003	Jean-Claude Dufourd	1241-03	7856

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 February 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _15-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _15-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is issued in response to applicant's amendment filed February 04,

2008.

2.   Claims 15-30 are presented. No claims added and claims 1-14 remain cancelled.

3.   Claims 15-30 are pending.

4.   Applicant's arguments filed February 04, 2008, have been fully considered but

they are not persuasive.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

6.   Claims 15-30 are rejected under 35 U.S.C. 102(e) as being anticipated by

Kalva (US Patent No. 7,149,770) filed January 29, 1999.

        Regarding Claim 15, Kalva discloses a method for managing interactions

between at least one peripheral command device and at least one multimedia

application exploiting the standard MPEG-4 for displaying a scene comprising

MPEG-4 objects, said peripheral command device delivering digital signals of

user interactions as a function of actions of one or more users on said scene

comprising:

constructing a first digital sequence having the form of a BIFS node

(Binary Form for Scenes in accordance with the standard MPEG-4) (column 4,

lines 17-22 and column 5, lines 15-32, Kalva), said node comprising at least one

field defining a type and number of interaction data to be applied to objects of

said scene and said node specifying an association between said digital signals

of user interactions and the scene objects (column 4, lines 45-50 and column 5,

lines 33-52, Kalva),

wherein the at least one field defines at least one action to be applied to

the scene with a parameter field, wherein a value of the parameter field

corresponds to a parameter of said digital signals received from the peripheral

command device (columns 7-8, lines 67 and 1-15, respectively, Kalva).

Regarding Claim 16, Kalva discloses the method further comprising

transferring said first digital sequence into a composition memory using a

decoding sequence of MPEG-4 systems to introduce the interaction data into a

composition device for composing said scene (column 4, lines 51-67, Kalva).

Regarding Claim 17, Kalva discloses the method wherein transferring is

performed under control of a flow comprising at least one flow descriptor, itself

transporting information required for configuration of the decoding sequence with

an appropriate decoder (column 4, lines 31-37 and 51-67, Kalva).

Regarding Claim 18, Kalva discloses the method wherein the BIFS node

comprises a number of variable fields dependent on the form of peripheral

command device, and transferring the interaction data of fields of the node to

fields of objects of said scene is implemented by routes (column 5, lines 46-52

and column 7, lines 41-51, Kalva).

Regarding Claim 19, Kalva discloses the method further comprising

signalizing activity of the device (column 8, lines 3-4, Kalva).

Regarding Claim 20, Kalva discloses the method wherein said BIFS node

comprises a flag whose status enables or prevents an interaction to be taken into

account (column 4, lines 45-50, Kalva).

Regarding Claim 21, Kalva discloses the method wherein signal delivery is

performed in the form of a flow indicated by a descriptor, which contains

information for configuring a decoding sequence with an appropriate decoder

(column 4, lines 61-67 and column 6, lines 5-29, Kalva).

Regarding Claim 22, Kalva discloses the method wherein constructing the

interaction data sequence is performed in a decoding buffer memory of a

multimedia application execution terminal (Fig.2, Kalva).

Regarding Claim 23, Kalva discloses the method wherein translation of

the interaction data sequence is performed in a decoder equipped with an

interface with a composition device for composing said scene similar to an

ordinary BIFS decoder for executing the BIFS- Commands decoded on the

scene (column 4, lines 51-67 and columns 8-9, lines 60-67 and 1-2, respectively,

Kalva).

Regarding Claim 24, Kalva discloses the method wherein flow of user

interactions passes through a DMIF client associated with the device that

generates access units to be placed in a decoding buffer memory linked to a

corresponding decoder (column 4, lines 51-67, Kalva).

Regarding Claim 25, Kalva discloses the method wherein flow of user

interactions enters into a corresponding decoder, either directly, or via an

associated decoding buffer memory, thereby shortening the path taken by the

user interaction flow (Fig.2, Kalva).

Claims 26-30 have the same subject matter as of claims 15-25 and essentially

rejected for the same reasons as discussed above.

Response to Arguments

Applicant argues the command descriptor of Kalva does not take the form of a

BIFS node, thus Kalva cannot disclose that the node comprises a "field defining a type

and number of interaction data to be applied to objects of said scene and said node

specifying an association between said digital signals of user interactions and the scene

objects".

Examiner respectfully disagrees. To begin, the examiner would like to point out

that the applicant's insinuated that the command descriptor, of Kalva, was the

representation for the BIFS node. However, the examiner has never explicitly stated

that one equated for the other. As such, Kalva teaches that MPEG-4 defines some

additional nodes that address 2-D composition, along with defining a bandwidth-efficient

compressed representation called BIFS. BIFS provides the information for the scene

structure, as well as objects that are purely synthetic using BIFS nodes (see col.5, lines

12-23, lines 65-67 and col.6, line 1). As shown, Kalva does in fact teach the claimed

BIFS node, thus Kalva also discloses that the node comprises a field defining a type

and number of interaction data to be applied to objects of said scene and said node

specifying an association between said digital signals of user interactions and the scene

objects (see col.4, lines 45-50 and col.5, lines 33-55).

Applicant argues, neither Haskell nor Kalva suggest composing a digital signal

describing the actions to be performed under the claimed format, with every action

including a "nature of the action" field and "parameter for the action" field, in order to

form a BIFS node.

Examiner respectfully disagrees. In response to applicant's argument that the

references fail to show certain features of applicant's invention, it is noted that the

features upon which applicant relies (i.e., "nature of the action" field and "parameter for

the action" field) are not recited in the rejected claim(s). Although the claims are

interpreted in light of the specification, limitations from the specification are not read into

the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CHELCIE DAYE whose telephone number is (571)272-

3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Apu Mofiz can be reached on 571-272-4146080. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye
Patent Examiner
Technology Center 2100
March 24, 2008

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161